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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

PATTI DONNER RUBIN, a Florida resident,

Plaintiff,

v.

THE SCOTTS COMPANY LLC, an Ohio
limited liability company,

Defendant.

Case No. 09-CV-02419 (GMN) RJJ

**PLAINTIFF'S UNOPPOSED MOTION
TO EXTEND THE TIME TO
RESPOND TO DEFENDANT SCOTTS'
MOTION FOR SUMMARY
JUDGMENT BY SEVEN DAYS

(FIRST REQUEST)**

Pursuant to Local Rules 6-1 and 7-2, Plaintiff Patti Donner Rubin ("Rubin") through her counsel, hereby moves the Court for an Order extending the time to respond to Defendant The Scotts Company LLC's ("Scotts") Motion for Summary Judgment (Doc. 86) from March 30, 2012 to April 6, 2012.

1 I. **BACKGROUND**

2 On Friday, March 9, 2012, Scotts filed its Motion for Summary Judgment. Pursuant to
3 Local Rule 7-2(e), Rubin's response is currently due on March 30, 2012.
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5 II. **REASONS WHY RUBIN'S EXTENSION REQUEST SHOULD BE GRANTED**

6 Rubin submits that good cause exists for extending the time to respond to Scotts' Motion
7 for Summary Judgment. Rubin's counsel learned on March 22, 2012 that he will be unavailable
8 for a medical matter involving his young daughter on Thursday, March 29, 2012. As result of
9 this personal matter, Rubin requires additional time to prepare and finalize her Response.
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11 III. **MEET AND CONFER WITH SCOTTS' COUNSEL**

12 On March 22 and 23, 2012, Rubin's counsel conferred with Scotts' counsel regarding this
13 Motion, including providing a copy of this Motion to Scotts' counsel. Scotts has graciously
14 agreed to allow Rubin to extend the time to prepare and finalize her response by a week. Rubin's
15 counsel is authorized to state that Scotts does not oppose the granting of this Motion.
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1 IV. **PROPOSED SCHEDULE FOR SCOTTS' SUMMARY JUDMENT MOTION**

2 If granted, the deadlines would be amended as follows:

3 Rubin's Response: due on or before April 6, 2012

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5 Scotts' Reply: due within fourteen (14) days after the response is served.

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7 Dated: March 23, 2012

By: s/ John R. Posthumus

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21 *Attorneys for Plaintiff*

22
23 **ORDER**

24 **IT IS SO ORDERED** this 26th day of March, 2012.

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Gloria M. Navarro
United States District Judge